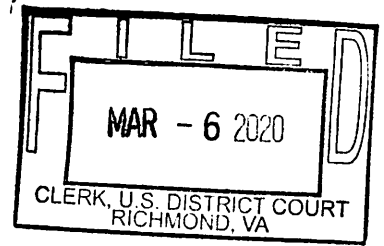


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division



JAMES HERBERT PARKER,

Plaintiff,

v.

Civil Action No. 3:19CV957

UNKNOWN,

Defendant.

MEMORANDUM OPINION

By Memorandum Order entered on January 13, 2020, the Court conditionally docketed Plaintiff's action. The Court directed Plaintiff to return his *in forma pauperis* affidavit. The Court warned Plaintiff that a failure to comply with either of the above directive within thirty (30) days of the date of entry thereof would result in summary dismissal of the action.

Plaintiff has not complied with the order of this Court. Plaintiff failed to return the *in forma pauperis* affidavit. As a result, he does not qualify for *in forma pauperis* status. Furthermore, he has not paid the statutory filing fee for the instant action. *See* 28 U.S.C. § 1914(a). Such conduct demonstrates a willful failure to prosecute. *See* Fed. R. Civ. P. 41(b). Accordingly, this action will be dismissed without prejudice.

An appropriate Order shall issue.

M. Hannah Layton
United States District Judge

Date: MAR 06 2020
Richmond, Virginia